

LINKS: 277 (11-4272); 276 (11-4574)

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**AMENDED**
CIVIL MINUTES - GENERAL

Case No.	CV 11-4272 GAF (SPx)* CV 11-4574 GAF (SPx)	Date	November 4, 2014
Title	DeFrees et al. v. John C. Kirkland, et al.; Camofi Master LDC et al. v. Jerrold Pressman et al.		

Present: The Honorable	GARY ALLEN FEESS	
Stephen Montes Kerr	None	N/A
Deputy Clerk	Court Reporter / Recorder	Tape No.
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:	
None	None	

Proceedings: (In Chambers)**ORDER RE: MOTION FOR ATTORNEYS' FEES & COSTS¹**

The Court is in receipt of two motions for attorneys' fees from the shareholders and creditors (the "DeFrees Plaintiffs" and the "CAM Funds Plaintiffs," collectively "Plaintiffs") of nominal defendants American Defense Investments, LLC, Charles S. Arnold, Michael L. Goldberg, James D. Henderson, John C. Kirkland, Kenneth J. Koock, and TUSA Acquisition Corp. ("DeFrees Defendants") and nominal defendants Michael Goldberg, Kenneth Koock, James Henderson, Charles Arnold, John C. Kirkland, American Defense Investments, LLC, Richard Berkshire, TUSA Acquisition Corp., Daisy Rodriguez, KC-X American Aerospace, LLC, Tom Biggs, Richard Fixaris and Victor Kirkland ("CAM Fund Defendants"). (Docket No. 277 (11-4272) [Defrees' Mem.]; Docket No. 276 (11-4574) [CAM Mem.].) These motions are seeking attorneys fees and costs incurred from Defendants' appellate action challenging this Court's ruling in favor of Plaintiffs regarding defendants' anti-SLAPP motions. (See Docket No. 263 (11-4272) [Ninth Circuit Mandate ("Mandate")] at 6-7.) The Ninth Circuit affirmed this Court's holding that the anti-SLAPP claims were "'frivolous solely intended to cause unnecessary delay.'" (*Id.*) They also found that "[r]easonable attorney's fees [were] . . . warranted in connection with the anti-SLAPP appeal," and ordered Defendants to bear the costs of appeal. (*Id.* at 7-8.) They remanded it to this Court to determine the "proper fees and costs." (*Id.* at 7.) The Court has not received any opposition from Defendants to the submitted requests

¹ Note, this is the only amendment. The previous order erroneously named nominal defendant USAE.

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for attorney's fees and costs. Having reviewed the submitted materials, the Court finds the fees and costs appear to be reasonable.

Accordingly, the Court hereby **GRANTS** the DeFrees Plaintiffs' request for fees and expenses against the DeFrees Defendants, jointly and severally, in the amount of \$206,979 and \$11,676, respectively. The Court also **GRANTS** the CAM Plaintiffs' request for fees and costs against the CAM Fund Defendants, jointly and severally, in the amount of \$73,725.18 and \$4,135.00, respectively.

IT IS SO ORDERED.